

WY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

REC

AUG 14 2013

Alias Tyre Smith

A.K.A Terik Williams

Surname Moses Lee Smith

(In the space above enter the full name(s) of the plaintiff(s).)

13 4736

- against -

Northampton County Prison
 Northampton County Courts
 Prime Care Medical co
 St Luke Hospital Anderson Campus
 Department of Corrections
 SCI Graterford
 SCI Camp Hill

COMPLAINT

under the
 Civil Rights Act, 42 U.S.C. § 1983
 (Prisoner Complaint)

Jury Trial: ☒ Yes ☐ No
 (check one)

RECEIVED
 AUG 14 2013

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Tyre Smith

ID #

K45933

Current Institution

SCI Mahanoy

Address

301 Morea Road

Emckville, P.A. 17932

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Department of Corrections Shield # 0
Where Currently Employed State of Pennsylvania
Address 2520 Lisbon Road
Camp Hill, P.A. 17001

Defendant No. 2 Name St Luke Hospital Shield #
Where Currently Employed Private
Address Anderson Campus
Bethlehem Twp

Defendant No. 3 Name Prime Care Medical Shield # 0
Where Currently Employed Northampton County Prison
Address 666 Walnut street
easton, P.A. 18042

Defendant No. 4 Name Northampton County Prison Shield #
Where Currently Employed Northampton County
Address 666 Walnut street
easton, P.A. 18042

Defendant No. 5 Name Northampton County Courts Shield #
Where Currently Employed Northampton County
Address 669 Washington street
easton, P.A. 18042

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. In what institution did the events giving rise to your claim(s) occur? St Luke Hospital, SCI Graterford, SCI Camp Hill, Northampton County Prison, Northampton County Courts.
- B. Where in the institution did the events giving rise to your claim(s) occur? At all of the above place, during different time and dates.
- C. What date and approximate time did the events giving rise to your claim(s) occur?

ON AND After March 6 2013, Mar 23 2013, March 24 2013
3-26-13, 3-29-13, 4-2-13, 5-7-13 end on July 1 2013

What
happened
to you?

D. Facts: ON 3-23-13 something was put into my food which caused severe abdominal PAINS, Nausea, Diarrhea and throwing up. Prison staff was made aware immediately also Medical Dept. On Monday 3-25-13 I was forced on Level I suicide do to my protest of none eating or drinking until state police was called ON 3-26-13 I WAS taken to St Luke's Hospital in Bethlehem Twp suffering from severe abdominal and side PAINS. four tubes of blood were drawn I.V. administered, A meal given and released and returned back to N.C.P. On 3-27-13 I was brought before Honorable Edward Smith and John Morganello chief Prosecutor of N.C. I was assigned Attorney Raybach. And ordered by Judge Smith to eat or be force feed. Although I had been eating prior to court hearing. Also I would be taken to a state Hospital for mental evaluation without my consent.

Who
did
what?

Was
anyone
else
involved?

ON March 29 2013 after eating breakfast I was repositioned which led to the same above symptoms. only this time lead to me passing out unconscious for I don't know how long, and being rushed back to St Luke Hospital where I was admitted and treated for five days. On April 2 2013 I was released with two prescriptions Antibiotics and Pain. Only I was then transported to SCI Graterford where I was sent to Mental Health Unit, stripped of clothes and sat on Air conditioned floor for a week of pure torment while being denied Prescribed Medications for my stomach, liver, kidney, and PAINS. NO medicines were given to me the whole five and a half weeks I was at SCI Graterford Prison.

Who else
saw what
happened?

III. Injuries:
If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. I was denied all medical records

of diagnoses and diagnoses pertaining to my injuries due to security protocol that was told to me by Northampton County Sheriff's and SCI Graterford Medical Dept and I.D.C. officials.

I have been made to live with discomforting PAINS in my Liver, kidney which I was born with just one, and neck and back PAINS. And the fear that I may be dying as my body doesn't feel the same, as I am always weak, tired, while my fingers are constantly going numb on both hand and my legs and feet as well.

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a

prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☒ No ☐

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Northampton County Prison • St Luke Hospital • SCI Graterford
SCI Camp Hill, Northampton County Courts.

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☒ No ☐ Do Not Know ☐

If YES, which claim(s)? All my claims are covered by I.D.O.C, by Hospital, by Courts

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☒ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☒ No ☐

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

With Department of Corrections

1. Which claim(s) in this complaint did you grieve? Cruel and unusual Punishment
Ill Treatments, Invidious discriminating Practices.

2. What was the result, if any? NONE Compliance

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. I began filing Grievances

and Appeals on Grievance from April 15 2013 until
arriving at Last Prison SCI Mahanoy on July 1 2013
I have yet to hear from Executive staff of whom I tried to reach
MR. Marc I) Goldberg. MR Michael Bell both of I.D.O.C

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: I couldn't file grievance with Hospital, Courts, Prime Care Medical, or Northampton County Government due to being whisked suddenly away at the Order of Northampton County Government.
2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any: All Attempts to Contact outside world between March 24 2013 until July 1 2013 were impeded by I.O.C at the request of Northampton County Government.

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. I.O.C was not hearing my requests or grievances furthermore it clearly states in its Inmate Handbook Pg 10 Section "G" # 2A, 2B, 2C. My grievances are none grievable. Also I might point out Pg 9 Section E. # 2, 2, 3, 4. All these Subordinates are those who condone the ill treatment of myself during the four month period. So I had no one who cared to listen.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. **Relief:**

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). As stated Above, I don't know what Physical damages I have sustained from this as I am and have been denied the right to know of my condition

or view All Medical records of All Tests done All
 I have and know is the everyday discomforting
 Pain I have in my stomach, liver, kidney, and back upper middle
 also the coming and going of discomfort in my Abdomine.
 Therefore I am requesting One million dollars Per Actor
 be Paid for my Physical injuries Sustained as well as
 my Mental and emotional traumatic stress sustained.
 Due to my Ill Treatment, Medical Malpractice, Cruel
 and Unusual Punishment, And gross abuse of Authorities

VI. Previous lawsuits:

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ☒ No ☐

- B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Tyre Smith
 Defendants Warden Todd L Buskirk

2. Court (if federal court, name the district; if state court, name the county) U.S. Eastern District
 3. Docket or Index number #12-4259

On
these
claims

4. Name of Judge assigned to your case Hon. William H. John Sr.
5. Approximate date of filing lawsuit July 2012
6. Is the case still pending? Yes ☒ No ☐
- If NO, give the approximate date of disposition _____
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____
- _____
- _____

On
other
claims

C. Have you filed other lawsuits in state or federal court?

Yes ☒ No ☐

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Tyre Smith

Defendants City of Easton

2. Court (if federal court, name the district; if state court, name the county) U.S. Eastern District
3. Docket or Index number 12 N/A
4. Name of Judge assigned to your case ~~Hon.~~ Hon. William H. John Sr.
5. Approximate date of filing lawsuit Sept 2012
6. Is the case still pending? Yes ☐ No ☒
- If NO, give the approximate date of disposition _____
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) Prison officials
impede my contact with courts so i could not
respond with valid supporting evidence

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 15 day of July, 2013.

Signature of Plaintiff

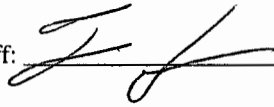
Inmate Number

Tyre Smith

Institution Address 301 Morea Road
Frackville, P.A. 17932
SCI Mahanoy

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 15 day of July, 2013, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: 

	SCI Mahanoy	
	Calculation Worksheet	
	7/12/2013	
Inmate Name:	SMITH, TYREE	
Inmate Number:	KY5933	
	Deposits	Balance
	For the	End of
<u>Month</u>	<u>Month</u>	<u>Month</u>
January-13	0.00	0.00
February-13	0.00	0.00
March-13	0.00	0.00
April-13	0.00	0.00
May-13	0.00	(15.00)
June-13	200.00	76.10
Totals	200.00	61.10
Average	\$33.33	\$10.18

WY

July 15 2013

United States District Courts
Eastern District

13 4736

Alias Tyre Smith
A.K.A Terik Williams
Surname Moses Lee Smith
VS

Prime Care Medical
Northampton County Prison
St Luke Hospital, Anderson Campus
Department of Corrections
Northampton County Courts
SCI Graterford
SCI Camp Hill

Declaration of Facts

And now comes Plaintiff's Supporting
Facts Against above Defendants. July 15 2013
Monday.

On Wednesday, March 6, 2013, During
A Phone Conference with the Hon Judge
Elizabeth T Hey and Defense Counsel
Gerard J Greiger, Esquire Pertaining to
Civil Action #12-4259.

After MAKING KNOWN ON record to Courts of ongoing Harrassments which did lead to Post traumatic Stress Disorder and resulting in extreme weight loss of at the time forty-seven pounds, and my Height being at time six feet, seven inches Tall. I had also made known that this loss of weight and Harrassment had been the result of retaliation from my 1994 walk away from their Program, which by the way I warned them Prior that I was going to leave and not return. The fact that I was back and insisted on fighting my conviction by means of Habeas relief. SPAWN deep resentments on top of already Past Angers of what they considered me spitting in their faces. which is further from the Truth. So Northampton County Prison officials began monitoring my meal intake, And only after being there 30 months and after dozens of grievances concerning Ill Treatments and conditions concerning the water in the cells I was housed in did they take notice that I was eating only what I deemed safe. bread, Pasta, Potatoes, rice, Half a cup of water from the shower stall. Then ON March 23 2013 Saturday the Ill Treatments I had grieved about in the Past struck me again, only this time due to weeks of consumption of chemical my condition had weakened me so when I threw-up that evening which was followed by Diarrhea and abdominal Pains

I knew, I had been Poisoned and I knew I had to seek help beyond Northampton County Prison and Prime Care Medical due to their close relationship and past neglectful conducts against myself. So On the morning of March 24, 2013 Sunday I waited on my breakfast tray to check it for possible tampering, and I did notice in plain view Human Hairs on and between the Pancakes I then waited on the Nurse Ms Smith along with the correction officer to show both of my findings and to request to be allowed to call State Police I was denied, then I asked for L.T., I was again denied. So I Told all Medical and Prison Authorities "That I will not speak, eat, or drink anything until I am allowed to speak with State Police". On the Afternoon of Monday March 25, 2013 The Mental therapist not Board certified Psychologist of Prime Care Medical did diagnose myself as Level I suicide and I was immediately Placed in what is known as the Bobble striped of my clothes and given a vekrow smack. I was then Put on the floor ten feet from the toilet and directly in front of a blower which blew severe Heat directly on me constantly. I was dehydrated prior to coming in there since I was thirty-six hours without water or foods, And still very sick from Saturday's food Poisoning. On the Morning of Tuesday March 26, 2013 After a night of

suffering with abdominal pain, stomach, and what I thought was side pains, that did turn out to be severe liver and kidney pains. I was called down to Medical Dept, but I could not stand due to pains and dehydration. So Sheriffs were called in to transport myself to near by Hospital "St Luke Hospital of Anderson Campus in Bethlehem twp" Once there I immediately pleaded with the nurse and staff to call the state Police for me because of Ill Treatments alas to no prevail my request was ignored due to Northampton County Sheriff's and Prime Care Medical informing them that I was Mentally Ill Although Crisses at St Luke Hospital said nothing mental was wrong with me. So while in E.R. they immediately drew four tubes of Blood since I complained of food poisoning and pains in my stomach, liver, kidney which I was born with only one I might add. Once blood was taken I.V. was given along with water and two bowls of soup along with two rolls. After I.V. was finish I was discharged from hospital without knowing any blood, urine results, nor why was my vital organ's hurting if I wasn't poisoned? My condition was not stabilized due to discomforts in my liver, stomach, kidney still existed and with no answer given to me, but all is known by Northampton County Sheriff's, and Prime Care Medical, and Northampton County Prison officials.

I was returned to Northampton County Prison and back into the Heated Bubble cell. where I again refuse to eat until allowed to speak to State Police. So after a long suffering night in that heated cell. On the morning of Wednesday March 27 2013. Something surprisingly strange happened. I was taken from the Bubble to the adjacent Court Building. down to a lower level through tunnels and turns to a Court room where the Northampton County Prosecutor John Morgavelli and other legal Professionals including a one MR. Rybach esquire who had been chosen to represent me without my knowledge or ever meeting with me. Also Present were Deputy warden of N.C.P along with Mental therapist of Prime Care Medical. I was wheeled in before the Hon Judge Edward Smith. I was allowed to speak but limited I asked why was I there and the Courts claimed that I was Mentally Ill and Prison officials along with Prime Care Medical were there to get a court order to feed me thru a tube by force until I can be shipped away to a Mental state institution. So after conferring with my appointed Attorney MR Rybach and he informing me that neither the state Police or the Hon Judge Elizabeth T Hey will be notified as I requested. I reluctantly Agreed to give up my Protest of none eat, drink, speak, but I would be transferred out of Northampton County Prison where I could eat and drink without worry

So I was taken back to Northampton County Prison where I began eating, drinking, speaking in spite of concerns and still with physical discomforts.

So on March 27 2013 I ate Lunch, Dinner, On Thursday March 28 2013 I ate Breakfast, Lunch, Dinner

On March 29 2013 I ate Breakfast while still in Heated Bubble and almost immediately it happened again I began throwing-up then severe diarrhea the

guard on duty to watch me asked if I wanted to shower afterwards and I answered yes once I

get myself together I was having abdominal pains he said "OK just call when your ready" so called out and was escorted by guard to showers. Once

in shower I complained of light headedness and inner pains. He then said "just walk it off you fine"

I called out to him again saying I feel light headed and I can't breath. He then smiled and said "you'll

be fine Tyre just hurry-up" after that I Passed out only to wake up on the floor with my testicle's

swollen along with my diagnosed Hernia bulging out also my vital organs were severely Paining me along

with A sharp Pain on the right side of my head that went down my neck and rest between my shoulder

blades, while I laid there on the shower floor the Prison guard did not enter, did not call for medical

help, only stood outside of shower saying "Tyre are you OK buddy, looks like we fell, get up buddy.

See if you can stand, you probably slipped on Soap. you'll be OK buddy get up now" He would

enter the shower to assist me, and didn't call for assistance for at least 15 minutes. When Prime Care Medical was finally called in they began roughly handling my head and body and also saying "What's wrong Tyre did you slip and fall on soap, here let me help you up, then I strained out my Pains and she and they stop pulling on me to stand. The nurse called for a neck brace, which once arrived was put onto my face more than my neck. My whole mouth and part of my nose was covered with neck brace. Next rather than wooden stretcher being brought in a medical chair was brought and no prison guards cared to assist but one. So with two nurses who were even less interested about being there I was again roughly mishandled while in severe Pain picked up and sat upright in chair in my Tears trying to breath and focus. I was wheeled down to medical dumping down four steps, then Paramedics were called in and I was Transported to St Luke Hospital Anderson Campus of Bethlehem Twp once again with same conditions and again I pleaded with hospital E.R. staff to call state Police in my Tears, and again they ignored me. I was then admitted into the Hospital for five days which began with four tubes of blood, one urine specimen, Two X-Rays, Three CAT SCANS, Three Ultra Sounds. While there I was seen by a Liver specialist, Kidney specialist, gastrologist, Anesthesiologist, and resident M.D.

I was told my enzymes are dangerously high at 1280 in my liver and are rising and they don't know why, but it is the reason why I'm in such pain. Also they were concerned with my heart rate being 28 to 30 ~~and~~ and not rising the whole time I was there. Also I was told that my heart had an irregular beat and that something was affecting blood flow. Also I was told that my only kidney was inflamed for some reason. After being bombarded with all these conflicting facts that had no explanation as to why, and no doctor willing to admit I was poisoned, but wouldn't or claimed not to know why the pains, discomforts of inflammations. My medical records and condition was kept a secret as per order of the Northampton County Sheriff's Dept. As Security Protocol I was told. So after lies and adding to my already stress the doctor's conferred with Sheriff's after every test of blood, which was being drawn at 5 AM every day and four tubes at a time. So on Monday Morning April 1, 2013 I was taken to the operating room to have a procedure done on my stomach where they would send a flex camera down my throat into my stomach to see what was irritating my stomach and intestines. So I was sedated for 30 mins. when I came out I had a severe headache and my blood pressure was extremely high which required two shots of a medication to help lower and stabilize it.

Once my blood Pressure was stable and my Heart rate seem to rise a little all was left was the severe headache which was the result of the medication from the procedure. On the Morning of Tuesday April the 2, 2013. I was Prescribed antibiotics, and Pain medication by resident Doctor, never told why I'm taking antibiotics or what was the cause for my condition with my stomach, Heart, Liver, Kidney? I was given a Hospital gown, then Northampton County sheriff's fettered, shakled and cuffed me, walked me out into the cold with no shoes on my feet and just the gown into there waiting Paddy wagon, where I was transported unknown to myself to SCI Graterford. Once there I was finger Printed, Photo graphed, And asked dozen of questioned all pertaining to why I was there. And I answered "I dont know why" officials tried to make me believe they knew nothing about us so why I was there, they even went as far as denying not knowing I had just left the hospital and I had just had a procedure done on my stomach, and that Northampton County sheriff's didnt hand them a file on myself which also included all Medical records, Tests, and Prescribed Prescriptions of medication for myself. Infact SCI Graterford Im lying and made the whole Hospital visit up. So I was taken to their MHU block and Placed on again level I Suicide watch, where I was Put in a nasty cell made to again lie on the floor with just a smock

only this time the environment was extremely cold. I was given no mattress, no pillow, no blankets. I remained this way for 72 hours before a Mr. Martinez came and offered me a choice of either being his patient or staying under those present conditions so I reluctantly signed a volunteer form under duress. I was then taken to the opposite of the MHU ward where I received blanket, mattress, and a pair of slippers for my feet. Meanwhile my Prescribed Medications were not given to me the whole time I was at SCI Graterford which was approx 5 1/2 weeks. I struggled with severe pains with my stomach, liver, kidney the whole time while in custody at SCI Graterford. While there Mr. Martinez and other Psychologists gave a Prognosis of myself without any diagnoses, never meeting with me besides the initial signature, but no one on one. I was Prescribed heavy Psych Medications, which I refused and what sparked a five week Practice of ILL Treatments. I was surrounded by inmates, Prison Guards, and staff who would continually bang on Prison cell doors, Turn T.V. on all the way, scream, yell, and anything Harassing that denied me sleep for the entire five and a half weeks there. When I left Northampton County Prison I weighed 146 lbs due to the same stressful conditions. By the time I left St Luke Hospital. I was up to 155 lbs. so I entered SCI Graterford at that weight by the time I left SCI Graterford on Tuesday May 7 2013 I weighed in at SCI Camp Hill.

145 lbs. my Physical condition had worsen my vital organs were near shut down my discomforts were unexplainable as I had never experienced such trauma. After being weighed at SCI Camp Hill rather than being taken to infirmary I was again abusively and neglectfully taken to their SOV ward which is another mental health unit. were I was striped and placed on level I suicide again even though my last three days at SCI Graterford were spent in normal populations. So SCI Camp Hill decided to approach my torment differently than SCI Graterford realizing my Physical condition SCI Camp Hill admitted to the mistakes of SCI Graterford and Produced the Prescribed Medications of St Luke Hospital. Now instead of taking one antibiotic that gastrologist at St Luke Hospital Prescribed. SCI Camp Hill added another along with "Omeprazole 40mg capsule a sub for Prilosec" So I was taking two Antibiotic four times a day for three weeks along with Prilosec once daily. Again No one at SCI Camp Hill would explain to me why I was taking any antibiotics. As with St Luke Hospital who made it quite clear that my condition was not Viral or bacterial related. So my question as to why? never drew an answer. Meanwhile the Practices of Ill Treatments continued I was Impede from Courts, State Police, Media, Family, Friends. No one ever knew that I was hospitalized and that my condition was related to Ill Treatment

till this day still no one knows of my Plight within the Commonwealth of Pennsylvania, Although there are those among the Department of Corrections who claims equity not one Person or Personss reached out to my family or friends to inform them as to my well being. Not one of my Grievances from Northampton County Prison, SCI Graterford, SCI Camp Hill on cruel and unusual Punishment has ever been replied to. not one of my Please for help from W.O.C on Lisburn Rd Camp Hill PA. 17001 was ever followed through. All I recieved was severe retaliations from management, Guards, and their cronies Inmates. On July 1 2013 with Preexisting conditions still very much discomforting with me I was Transferred yet again to SCI Mahanoy where iam now Presently Housed and awaiting my Max date of Aug 15 2013. it appears I may be taking Pilsoc for the rest of my days since I have no idea as to why my stomach can not digest the foods I normally ~~take~~^{took} for granted. also the question as to why my last three fingers on both hands continue to go numb leaving my hand dead in the water also will this discomfort I have in my only Kidney and liver ever pass?. Since March 6, 2013 I have many Physical questions discerning my Mortality? everyday I live in wonder, I live in fear.

I Declare under Penalty of Perjury that the above Information is true to the best of my Knowledge.

askia Terik Williams

Alvin Tyre Smith KY5933

Simlaano Moses Lee Smith



- b. file a grievance (see **DC-ADM 804, "Inmate Grievance System;"**) and/or
 - c. report it in writing to the Office of Professional Responsibility at Central Office.
- 5. A third party may make reports of allegations of inmate abuse, verbally or in writing, to any staff member at the facility or at Central Office.
- 6. If you make a false allegation, you may be issued a misconduct.
- 7. For more information about abuse allegations, refer to **DC-ADM 001, "Inmate Abuse Allegation Monitoring."**

H. Sexual Harassment of or Sexual Contact with Inmates (DC-ADM 008)

- 1. Sexual harassment of inmates is prohibited. Sexual Harassment is defined as sexual advances, requests for sexual favors, and other verbal, visual, or physical contact of a sexual nature, sexually offensive comments or gestures or any physical contact that is of a sexual nature or sexually suggestive.
- 2. If you believe you have experienced sexual harassment by staff, inmates, visitors, contractors, or individuals/groups that have business with the Department, you must report it as soon as possible. You may report it to the Unit Manager and/or submit a grievance in accordance with **DC-ADM 804**. If you file a report, you must include the names of all parties involved; the specific details of the incident(s), date(s), time(s), or place(s) of alleged incidents; and witnesses, if any. The Unit Manager will initiate a review of the allegation and respond as soon as possible, but no later than 10 working days from receipt of information. You may not be retaliated against for reporting an incident of sexual harassment or for providing witness testimony.
- 3. If you sexually harass another person (inmate, employee, visitor, contractor, volunteer, etc.) you will be subject to a Class 1 misconduct in accordance with **DC-ADM 801**, and it may be a violation of law. For more information, refer to **DC-**

filing no more than one grievance each 15 working days. A grievance is frivolous when the allegations or the relief sought lack any arguable basis in fact.

12. At any point in the process, you may withdraw the grievance. You must do this in writing, sign it and date it. You may either write on the original grievance form, "I wish to withdraw this grievance," or you may send a **DC-135A** to the Facility Grievance Coordinator with the number of the grievance asking for it to be withdrawn.
13. You may request an extension for filing a grievance to the Facility Grievance Coordinator.
14. You will receive a response to your grievance. You must wait until you have a response from the Grievance Coordinator before you can appeal that response to the Facility Manager. You may only appeal issues that were raised in your initial grievance and/or initial review response, a decision ruling that the grievance was frivolous, or a grievance restriction.
15. If you wish to file an appeal, it must be done within 10 working days from the date of the response to your initial grievance. You may only file your grievance or appeal after these timeframes if you are on a temporary transfer from the facility where the grievance should have been filed, you were permanently transferred to another facility, you were on authorized temporary transfer (ATA) for an extended period, or there were delays with mail delivery.
16. An appeal to the Facility Manager must be clearly labeled as an appeal at the top of the first page and include the grievance number. It must identify what response you are appealing and why you are appealing. You may only appeal once. If your grievance was about personal property or a publication denial, you must state whether you will appeal the issue to the Secretary's Office of Inmate Grievances and Appeals so that the item can be held pending a final decision.
17. You must wait until you have received a response from the Facility Manager before you can appeal to the Secretary's Office of Inmate Grievances and Appeals. The appeal to final review must be filed within 15 working days from the

d. follow the direction given by searching staff member.

15. A body cavity search may be conducted when there is reasonable belief that you are concealing contraband inside your body. A body cavity search may be authorized by the Facility Manager/designee when it has been determined that there is imminent danger to your health or to facility security or safety.

E. Facility Management

1. The Facility Manager is in charge of the security, programs, and activities of the facility.
2. There are at least two Deputy Superintendents at each DOC facility. The Deputy Superintendent for Facilities Management (DSFM) is in charge of Unit Management and facility security. The Deputy Superintendent for Centralized Services (DSCS) is responsible for medical and mental health care, Correctional Industries, education, activities, and food services.
3. There is at least one Major at each facility. The Major supervises all facility Corrections Officers and the Unit Management Teams assigned to each housing unit. At facilities with two Majors, these responsibilities are shared between the Majors.
4. The Corrections Classification and Program Manager (CCPM) is responsible for inmate records, activities, volunteers, religious programs, inmate employment, and treatment programs.

F. Resolution of Problems

Problems on your housing unit should first be directed to a Corrections Officer on the Unit. If the Officer cannot resolve the issue, you should bring the problem to the attention of your Counselor or Unit Manager. If the issue is not resolved at that level, it should be brought to the attention of the Shift Commander, then the Major.

Conclusion of
Facts

Between March 25 2013, Monday until Present the Plan was to induce both Mental and Physical sickness upon myself by high ranking officials within the Department of Corrects in Associate with those members of the Northampton County Prison and Prime Care Medical.

This was why I was striped of all clothing and made to lie on floor at Northampton County Prison within inches from toilet. Also while at SCI Graterford I was again striped of my clothing and placed in a cell that recently experienced an septic over flow where human feces was on the floor and against the wall and no maintenance work was performed on either cell I was placed in on the M.H.U ward. Cell #15, cell #18. Furthermore breakfast, lunch, and dinner were served by sliding a foam tray under the door. Lastly Once arriving at SCI Camp Hill after surviving a five and a half week Torment of Cruel and unusual Punishment I was again striped of all clothing and placed into a special observation cell that maintained a temperature of 30°C I assume because my fingers and feet were constantly numb and frigid. Along with other Treacheries like the use of Inmates to Harass, Provoke, intimidate myself. It was quite clear that I was

not meant to make it to my max date
 in August 2013, and to not pursue either
 civil case # 12-4259 or Habeas relief both
 of which I was denied access to Courts, Law
 clinic, Family, Media, Proper stationery supplies,
 even Commissary up until my last two
 weeks before my max date. So at present
 my physical health is the concern which plagues
 me day and night. Department of Corrects refuses
 to share any finding or results of the dozens
 of lab test done on myself between March 26
 2013, thru July 1 2013. I.D.C. sharply denies me
 ever being at St Luke Hospital Anderson Campus
 in Bethlehem Twp. by denying not having or knowing
 of my visit or the dozens of Tests that were
 done on myself between March 25 2013, thru April 2,
 2013. So I've been left to wonder, worry, and
 question as to why my kidney, liver, stomach suffers
 discomforts daily and why both my arms and hands
 constantly experiences spasms of numbness thru
 three fingers on both hands and both arms???
 with no answers I am forced to rely on my
 faith and even this has been impeded by
 I.D.C. as I am placed on a two week waiting
 list.